

R E M A R K S

Claims 1, 3, 4 and 12 currently remain in the application. Claims 2, 5-11 and 13-17 are canceled and claims 1, 4 and 12 are herein amended.

Claims 1, 4 and 7 were rejected under 35 U.S.C. 103 over Bergtsson and further with respect to the limitations of previous claims 5, 6 and 8, and claims 3, 9 and 12 were rejected under 35 U.S.C. 103 over Bergtsson in view of Hekal. At least in part in view of the reasons for the rejection in the Official Letter, claim 1 is herein amended to further limit to a narrowed scope wherein nitrate nitrogen can be removed more efficiently from a vegetable juice. Amended claim 1 is supported by the results shown in Table 1 and Fig. 2 and hence should be deemed enterable.

Bergtsson describes how to treat deep-frozen vegetables, or how to chop them, to dewater them, say, by using a centrifuge and to separate them into a part with a dry matter content of about 9-15% and a solution part with a solid content of less than 3%. The latter is discarded or concentrated, and if the latter is to be concentrated, it is added to the former and finally deep-frozen (column 1, line 57 to column 2, line 37). It also describes how to treat the aforementioned solution part with anion exchange resins or by electro dialysis in order to remove unwanted negative ions prior to the concentration step (column 2, lines 2-10).


More specifically, EXAMPLE 1 of Bergtsson describes chopping spinach containing about 7% solids, separating it by centrifugation into a portion containing about 11.5% solids and a solution portion with 2.5% solids, and concentrating the latter so as to contain 40% solids (column 2, lines 55-72). EXAMPLE 2 describes treating this solution component with anion exchange resin prior to the concentration step (column 3, lines 5-8).

In summary, words like "vegetables", "dewatering", "concentration," "electrodialysis" and "anion" do appear in Bergtsson but these words are used only within the limited contexts summarized above. In other words, Bergtsson DOES NOT describe or hint at concentrating a vegetable juice and subjecting this concentrated vegetable juice to electro dialysis. It naturally goes without saying that there is no mention by Bergtsson of concentrating a vegetable juice to Brix 20-40% or subjecting it to electro dialysis at a linear speed of 0.5-10cm/sec on a membrane surface. By contrast, amended claim 1 herein mentions specifically that a vegetable juice should be concentrated to Brix 20-40% and subjecting this concentrate to electro dialysis at a linear speed of 0.5-10cm/sec on a membrane surface.

Hekal describes a method of low-temperature pasteurization for a vegetable juice. Words like "vegetable juice," "pH", "temperature," "flow rate" and "electrochemical" do appear, but these words are being thrown around in different contexts, not in the context specifically described in amended claim 1.

It is therefore believed that these two references, even if considered in combination by a person skilled in the art, cannot predicate the rejection by the Examiner. In summary, it is believed that the present Amendment is totally responsive to the Office Action and hence that the application is now in condition for allowance. A notice of allowance or at least an advisory action at an early date is therefore earnestly solicited especially in view of the sufficiently early filing date of the present Amendment.

Respectfully submitted,


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